Variable Capital Companies (Winding Up) Rules 2020

Table of Contents

Enacting Formula

Part 1 PRELIMINARY

- 1 Citation and commencement
- 2 Application of Rules
- 3 Definitions
- 4 Use of forms

Part 2 COURT AND CHAMBERS

- **5 Office of Registrar**
- 6 Matters to be heard in Court and chambers
- 7 Applications in chambers
- 8 Originating summonses and summonses
- 9 Title of proceedings
- 10 Written or printed proceedings
- 11 Process to be sealed
- 12 Issue of originating summons, etc.

Part 3 ORDERS

13 Orders

- 14 File of proceedings in office of Registrar
- 15 Office copies
- 16 Use of file by Official Receiver
- 17 Defacement of stamps
- 18 Service of originating summons or summons and supporting affidavit
- 19 Duration and renewal of originating summons for purpose of service
- 20 Mode of service
- 21 Publication in the Gazette
- 22 Memorandum of advertisements to be filed
- 23 Enforcement of judgments or orders

Part 4 WINDING UP APPLICATIONS

- 24 Form of winding up application
- 25 Filing of winding up application
- 26 Advertisement of winding up application
- 27 Affidavit supporting application for winding up
- 28 Service of winding up application and supporting affidavit
- 29 Copy of winding up application and supporting affidavit to be furnished to creditor or contributory

Part 5 HEARING OF WINDING UP APPLICATIONS AND ORDERS

- 30 Notice of intention to appear
- 31 List of persons intending to appear
- 32 Affidavits opposing winding up application and affidavits in reply
- 33 Approved liquidator
- 34 Attendance on Registrar
- 35 Substitution of any person as applicant
- 36 Winding up order
- 37 Order appointing provisional liquidator

Part 6 LIQUIDATOR'S REPORTS

- 38 Report of liquidator
- 39 Reports of liquidator to be filed
- 40 Consideration of further report

Part 7 SPECIAL MANAGER

- 41 Appointment of special manager
- 42 Accounting by special manager

Part 8 STATEMENT OF AFFAIRS

- 43 Preparation of statement of affairs
- 44 Extension of time for submitting statement of affairs
- 45 Information subsequent to statement of affairs
- **46 Default**

47 As to costs of preparing statement of affairs

Part 9 APPOINTMENT OF LIQUIDATOR IN WINDING UP BY COURT

48 Appointment of liquidator on report of meetings of creditors and contributories

Part 10 SECURITY BY LIQUIDATOR IN WINDING UP BY COURT

- 49 Provisions as to security
- 50 Failure to give or keep up security

Part 11 EXAMINATIONS

- 51 Application for examination under section 285 of Companies Act
- 52 Application for public examination under section 286 of Companies Act
- 53 Application for examination under section 313 of Companies Act
- 54 Attendance of liquidator or Official Receiver under section 285 of Companies Act
- 55 Application for appointment
- 56 Notice of appointment to creditors and contributories
- 57 Examinations under section 285 or 286 of Companies Act
- 58 Shorthand notes of examination
- 59 Filing of notes of deposition
- 60 Failure to attend or absconding warrant for arrest

Part 12 DISCLAIMER

61 Disclaimer

Part 13 VESTING OF DISCLAIMED PROPERTY

62 Vesting of disclaimed property

Part 14 ARRANGEMENT WITH CREDITORS AND CONTRIBUTORIES IN WINDING UP BY COURT

63 Report by liquidator on arrangements and compromises

Part 15 ORDERS

64 Production of documents for settling order

Part 16 COLLECTION AND DISTRIBUTION OF ASSETS IN WINDING UP BY COURT

- 65 Collection and distribution by liquidator of assets of VCC or sub-fund of umbrella VCC
- 66 Power of liquidator to require delivery of property

Part 17 LIST OF CONTRIBUTORIES IN WINDING UP BY COURT

- 67 Liquidator to settle list of contributories
- 68 Attendance of contributories at proceedings
- 69 List of contributories
- 70 Appointment of time and place for settlement of list
- 71 Settlement of list of contributories
- 72 Notice to contributories
- 73 Application to Court to vary list